

REMARKS

In accordance with the foregoing, claims 67 and 68 are cancelled without prejudice or disclaimer. Accordingly, claims, 1-31, 33-39, 41-47, 49-58, 60-62, and 66 are pending and under consideration.

Constructive Election

The Office Action asserts that new claims 67 and 68 are directed to an invention that is independent or distinct from the invention originally claimed, because “applicant did not originally claim an invention directed to a monitor having an upper link member and a lower link member provided to be rotated with respect to the base member, respectively, and the monitor main body and the base member are folded such that the other side of the monitor main body and the upper side of the base member are facing each other.”

Applicant cancels claims 67 and 68 without prejudice or disclaimer.

Objection to Claims 8-29

The Office Action objects to claim 8, which depends from claim 3, because it is difficult to ascertain the difference between the brace bracket of claim 3 and the first and second base brackets of claim 8. This objection is respectfully traversed.

Since the term “base bracket” is different from the terms “first and second base brackets,” Applicant respectfully submits that claims 3 and 8-29 satisfy 35 U.S.C. §112, second paragraph.

Accordingly, withdrawal of this objection is respectfully requested.

Rejection of Claims 1, 2, 7, and 36-62 Under 35 U.S.C. §102(e)

Claims 1, 2, 7, and 36-62 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 2006/0176655 to Hillman et al. (hereinafter referred to as “Hillman”). This rejection is respectfully traversed.

As indicated in U.S. Patent Application Publication 2006/0176655 to Hillman, Hillman was filed in the U.S. Patent and Trademark Office on December 19, 2003 as a Continuation-in-Part application of Application Serial No. 10/035,417 filed on November 8, 2001, now U.S. Patent No. 6,819,550 issued to Jobs et al. (hereinafter referred to as “Jobs”). Hillman also appears to claim priority from Provisional Application Serial No. 60/438,477, which was filed in the U.S. Patent and Trademark Office on January 6, 2003.

The present application was filed on September 29, 2003 (September 28, 2003 being a Sunday) and the present application claims the benefit of Korean Patent Application No. 2002-59208, which was filed on September 28, 2002. Applicant filed a certified copy of the priority document on September 29, 2003. As indicated in the present Office Action, U.S. Patent and Trademark Office has acknowledged the claim for priority benefit and has acknowledged receipt of the certified copy of the priority document.

In accordance with 37 C.F.R. §1.55, Applicant submits concurrently herewith an English translation of the certified copy of the priority document, Korean Patent Application No. 2002-59208. Because (1) the effective filing date of the present patent application is September 28, 2002; and (2) Provisional Application Serial No. 60/438,477's effective filing date is January 6, 2003, the subject matter of Provisional Application Serial No. 60/438,477 is not prior art.

In addition, the subject matter of Hillman may have two or three effective filing dates. In rejecting claims 1, 2, 7, and 36-62, the Office Action appears to rely on Figures 47 through 69 of Hillman. Although Jobs was filed on November 8, 2001, Jobs does not appear to include Figures 47-69, which were used to reject the claims. Therefore, the subject matter of Figures 47-69 has an effective filing date of December 19, 2003 (Hillman's filing date) or January 6, 2003 (Provisional Application Serial No. 60/438,477's filing date) depending on whether the subject matter of Figures 47-69 is disclosed in Provisional Application Serial No. 60/438,477. Because the effective filing date of the present application is September 28, 2002, the subject matter of Figures 47-69 (which was applied to reject claims 1, 2, 7, and 36-62) is not prior art.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejection of Claims 3-6 Under 35 U.S.C. §103(a)

The Office Action rejects claims 3-6 under 35 U.S.C. §103(a) as being unpatentable over Hillman in view of U.S. Patent 5,422,951 issued to Takahashi et al. (hereinafter referred to as "Takahashi"). This rejection is respectfully traversed.

Claim 3-6 depend from claim 1 and include all of the features of claim 1. Accordingly, for the reasons discussed above, withdrawal of this rejection is also respectfully requested.

Claims 8-31

On page 6, the Office Action indicates that claims 8-31 contain allowable features and that claims 8-31 would be allowable if rewritten in independent form.

As indicated above, claims 8-31 do not depend from a rejected base claim. Accordingly, withdrawal of this objection is respectfully requested.

Summary

Claims 1-31, 33-39, 41-47, 49-58, 60-62, and 66 are pending and under consideration. It is respectfully submitted that none of the references taken alone or in combination disclose the present claimed invention.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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